

Attorney Docket No.: J7175(C)
Serial No.: 10/551,823
Filed: July 10, 2006
Confirmation No.: 3927

REMARKS

The present amendment is submitted in an earnest effort to advance the case to issue without delay.

Claim 14 has been amended to incorporate the coaxial injector element of claim 15. The latter claim has been canceled.

Claims 2, 4-9 and 12-14 were rejected under 35 U.S.C. § 103(a) as unpatentable over Japanese Patent Document 58-208208 (English language translation). Applicant traverses this rejection.

The Japanese Patent Document was particularly cited for a disclosure under Examples 1 and 2 at pages 17-20 of the translation.

Admitted by the Examiner is that this reference does not disclose the use of a coaxial injector as now required by amended claim 14. Thus, the reference does not present a *prima facie* case of obviousness against the amended independent claim 14.

Independent claim 13 subsequent to step (e) specifying mixing together the calcium carbonate suspension and thickening mixture, requires a non-mixing step. More specifically, step (f) requires that the mixed suspension and thickening mixture stand for a specified amount of time to allow for hydration. Subsequent thereto, step (g) requires mixing to continue for a further specified amount of time.

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Unlike the claims, there is no disclosure in the Japanese Patent Document that subsequent to mixing the abrasive suspension and vacuum inserted thickening mixture that there should follow a quiescent and then a further mixing step. This reference simply does not disclose steps (f) and (g). Absent the disclosure of these steps, the reference would not present a *prima facie* case of obviousness.

Claim 15 was rejected under 35 U.S.C. § 103(a) as unpatentable over the Japanese Patent Document 58-208208 (English language translation) in view of Trenner (U.S. Patent 4,544,006). Applicant traverses this rejection.

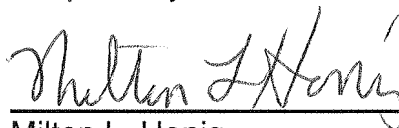
Trenner was cited for disclosing the known use of coaxial injection of liquids to avoid introduction of air bubbles.

Applicant's step (d) requires the feeding of the thickening mixture under vacuum by way of the coaxial injector. By contrast, Trenner operates the filling tube 8 under pressure. See column 2 (lines 32 and 50-51) and column 3 (lines 7 and 21). Indeed, Trenner teaches the exact opposite use of a coaxial injector than that required in the present invention.

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In view of the foregoing amendment and comments, applicant requests the Examiner to reconsider the rejection and now allow the claims.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Milton L. Honig", written over a horizontal line.

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